

MONDAY, FEBRUARY 27, 2012

FIFTY-SIXTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Representative Floyd.

Representative Floyd led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 95

Representatives present were Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Armstrong; business

Representative Camper; business

Representative L. DeBerry

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 602 Rep(s). Parkinson and Brown as prime sponsor(s).

House Bill No. 373 Rep(s). Hardaway, Sargent, Parkinson, Fitzhugh, Casada, and Montgomery as prime sponsor(s).

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House Bill No. 1000 Rep(s). K. Brooks, R. Williams, Moore, Wirgau, Hensley, Towns, McDonald, Floyd, Lollar, Sargent, Windle, J. Turner, Pitts, Brown, B. Cooper, Sparks, Hardaway, Parkinson, Shaw, Maggart, Faison, Womick, Eldridge, Stewart, D. Miller, Evans, Montgomery, Weaver, Fitzhugh, Matheny, McManus, L. Miller, Alexander, Favors, C. Johnson, Haynes, Carr, Powers, Elam, Swann, Rich, Hall, Forgety, Pody and Halford as prime sponsor(s).

House Bill No. 2236 Rep(s). Sargent as prime sponsor(s).

House Bill No. 2343 Rep(s). D. Miller as prime sponsor(s).

House Bill No. 2383 Rep(s). Hardaway, Parkinson and Fitzhugh as prime sponsor(s).

House Bill No. 2656 Rep(s). Hurley as prime sponsor(s).

House Bill No. 2734 Rep(s). Tidwell and Brown as prime sponsor(s).

House Bill No. 2913 Rep(s). Parkinson, B. Cooper, Sanderson and Brown as prime sponsor(s).

House Bill No. 2936 Rep(s). Evans as prime sponsor(s).

**MESSAGE FROM THE SENATE
February 24, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 580, 582, 583 and 599; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
February 24, 2012**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 580, 582, 583 and 599.

**MESSAGE FROM THE GOVERNOR
February 24, 2012**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 683; with his approval.

HERBERT H. SLATTERY, III, Counsel to the Governor

MESSAGE FROM THE SENATE
February 27, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2357; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 2357** -- Motor Vehicles - As introduced, requires recreational vehicles leased to consumers to have working carbon monoxide detectors; requires all lease agreements for RVs to state that the vehicle is equipped with a working detector; allows court costs and attorney's fees in civil suits for damages from failure to comply with this requirement. - Amends TCA Title 55, Chapter 9. by *Barnes, *Harper. (HB2734 by *Pitts, *Johnson C)

MESSAGE FROM THE SENATE
February 27, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 625; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 625 -- Memorials, Recognition - Youth Town of Tennessee, 50th anniversary. by *Finney L, *Herron.

MESSAGE FROM THE SENATE
February 27, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613 and 614; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 602 -- Memorials, Sports - Blackman High School cheerleading squad, National Champions. by *Ketron, *Stewart, *Tracy.

Senate Joint Resolution No. 603 -- Memorials, Professional Achievement - Steven C. Smith, Sidney R. Rabb Award. by *Ramsey, *Tracy.

Senate Joint Resolution No. 604 -- Memorials, Professional Achievement - Patty Starnes, Teacher of the Year, Alpha Elementary School. by *Southerland, *Gresham.

Senate Joint Resolution No. 605 -- Memorials, Professional Achievement - Lori Horner, Teacher of the Year, Hillcrest Elementary School. by *Southerland, *Gresham.

Senate Joint Resolution No. 606 -- Memorials, Professional Achievement - Kathie Franzke, Teacher of the Year, West View Middle School. by *Southerland, *Gresham.

Senate Joint Resolution No. 607 -- Memorials, Professional Achievement - Sharon Lindsey, Teacher of the Year, Miller Boyd Alternative School. by *Southerland, *Gresham.

Senate Joint Resolution No. 608 -- Memorials, Professional Achievement - Karen Rogers, Teacher of the Year, East High School. by *Southerland, *Gresham.

Senate Joint Resolution No. 609 -- Memorials, Professional Achievement - Michelle Newman, Teacher of the Year, Witt Elementary School. by *Southerland, *Gresham.

Senate Joint Resolution No. 610 -- Memorials, Professional Achievement - Cari S. Ashford, Teacher of the Year, Morristown-Hamblen High School West. by *Southerland, *Gresham.

Senate Joint Resolution No. 611 -- Memorials, Professional Achievement - Jenny Ryan, Teacher of the Year, Union Heights Elementary. by *Southerland, *Gresham.

Senate Joint Resolution No. 612 -- Memorials, Professional Achievement - Jenni Seal, Teacher of the Year, Lincoln Heights Middle School. by *Southerland, *Gresham.

Senate Joint Resolution No. 613 -- Memorials, Professional Achievement - Kathy Caldwell, Teacher of the Year, West Elementary School. by *Southerland, *Gresham.

Senate Joint Resolution No. 614 -- Memorials, Professional Achievement - Eva Victoria Price, Teacher of the Year, Meadowview Middle School. by *Southerland, *Gresham.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Womick, joined by Representative Fitzhugh, was recognized in the Well to introduce the following scouts as a part of the Annual Report on the State of Scouting for the year of 2011: Sam Norman from the Chickasaw Council, Douglas Burgess, III, from the West Tennessee Council, Landon Bays from the Great Smoky Mountains Council, Ethan Lee from the Cherokee Area Council, Ben Carmody from the Sequoyah Council and John Marcellus from the Middle Tennessee Council.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Resolution No. 195** -- General Assembly, Statement of Intent or Position - Supports the construction of the Keystone XL oil pipeline from Canada to Gulf Coast and encourages President Obama to approve TransCanada's permit application for such project. by *Dennis, *Faison, *Holt, *Ragan, *Alexander, *Maggart, *Swann, *Dennis, *Brooks K, *Marsh, *White, *Haynes, *Gotto, *Matlock, *Williams R, *Harrison, *Montgomery, *Wirgau, *Halford, *Butt, *Eldridge, *Brooks H, *Weaver, *Hurley, *Niceley, *Johnson C, *Elam, *McCormick, *Sargent, *Casada, *Carr, *Lundberg, *McDaniel, *Shipley, *Ford, *Bass, *Hall, *Cobb, *Keisling, *Williams K, *Dunn, *Roach, *Rich, *Campbell, *Sexton, *Evans, *Forgety, *Sparks, *Pody, *Floyd, *McManus, *Todd, *Matheny, *Lollar, *Sanderson, *Miller D, *Ramsey, *Coley, *Womick, *Harwell.

House Conservation and Environment

***House Joint Resolution No. 698** -- Constitutional Amendments - Proposes an amendment to Article XI, of the Constitution of Tennessee, to permit the general assembly by statute to establish limitations on damages in civil liability actions and other causes of action. by *Dennis.

House Judiciary Committee

House Joint Resolution No. 700 -- Highway Signs - Names bridge on S.R. 11 in Marshall County in honor of the late Tim Mealer. by *Bass.

House Transportation Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 1, 2012:

House Resolution No. 199 -- Memorials, Personal Achievement - Joseph Austin Midgett, Eagle Scout. by *Elam.

House Joint Resolution No. 714 -- Memorials, Recognition - Reverend Phil Martin. by *Evans.

House Joint Resolution No. 715 -- Memorials, Recognition - Charles Beasley. by *Hawk, *Pody.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 1, 2012:

Senate Joint Resolution No. 602 -- Memorials, Sports - Blackman High School cheerleading squad, National Champions. by *Ketron, *Stewart, *Tracy.

Senate Joint Resolution No. 603 -- Memorials, Professional Achievement - Steven C. Smith, Sidney R. Rabb Award. by *Ramsey, *Tracy.

Senate Joint Resolution No. 604 -- Memorials, Professional Achievement - Patty Starnes, Teacher of the Year, Alpha Elementary School. by *Southerland, *Gresham.

Senate Joint Resolution No. 605 -- Memorials, Professional Achievement - Lori Horner, Teacher of the Year, Hillcrest Elementary School. by *Southerland, *Gresham.

Senate Joint Resolution No. 606 -- Memorials, Professional Achievement - Kathie Franzke, Teacher of the Year, West View Middle School. by *Southerland, *Gresham.

Senate Joint Resolution No. 607 -- Memorials, Professional Achievement - Sharon Lindsey, Teacher of the Year, Miller Boyd Alternative School. by *Southerland, *Gresham.

Senate Joint Resolution No. 608 -- Memorials, Professional Achievement - Karen Rogers, Teacher of the Year, East High School. by *Southerland, *Gresham.

Senate Joint Resolution No. 609 -- Memorials, Professional Achievement - Michelle Newman, Teacher of the Year, Witt Elementary School. by *Southerland, *Gresham.

Senate Joint Resolution No. 610 -- Memorials, Professional Achievement - Cari S. Ashford, Teacher of the Year, Morristown-Hamblen High School West. by *Southerland, *Gresham.

Senate Joint Resolution No. 611 -- Memorials, Professional Achievement - Jenny Ryan, Teacher of the Year, Union Heights Elementary. by *Southerland, *Gresham.

Senate Joint Resolution No. 612 -- Memorials, Professional Achievement - Jenni Seal, Teacher of the Year, Lincoln Heights Middle School. by *Southerland, *Gresham.

Senate Joint Resolution No. 613 -- Memorials, Professional Achievement - Kathy Caldwell, Teacher of the Year, West Elementary School. by *Southerland, *Gresham.

Senate Joint Resolution No. 614 -- Memorials, Professional Achievement - Eva Victoria Price, Teacher of the Year, Meadowview Middle School. by *Southerland, *Gresham.

RESOLUTIONS LYING OVER

On motion, the resolution(s) listed was/were referred to the appropriate Committee:

Senate Joint Resolution No. 571 -- Naming and Designating - "Youth Art Month" in Tennessee, March 2012. by *Massey, *Overbey, *Crowe, *Faulk, *Ford, *Marrero.

House Education Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3857 -- Dickson County - As introduced, subject to local approval, decreases, from 12 to six, the number of county highway commissioners beginning in the August 2014 regular election; requires commissioners be elected from the same districts as county school board members. - Amends Chapter 53 of the Private Acts of 1985. by *Shepard.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 1818 -- Insurance Companies, Agents, Brokers, Policies - As introduced, clarifies that utilization review may include review of admissions and procedures as the types of resources or services subject to review. - Amends TCA Title 56. by *Norris, *Tracy. (*HB1442 by *McCormick, *Pody)

Senate Bill No. 2202 -- Insurance Companies, Agents, Brokers, Policies - As introduced, revises provisions governing deposit of securities in clearing corporation. - Amends TCA Title 56, Chapter 2 and Title 56, Chapter 3. by *Norris, *Johnson. (*HB2340 by *McCormick, *Elam)

Senate Bill No. 2220 -- Public Contracts - As introduced, increases from \$75,000 to \$150,000 the dollar amount of leases that require approval by the attorney general and state building commission. - Amends TCA Section 12-2-115. by *Norris, *Ketron. (*HB2358 by *McCormick, *Harrison)

***Senate Bill No. 2260** -- Taxes - As introduced, clarifies that a taxpayer may request the assessor to mitigate a forced assessment by reducing the forced assessment to the standard depreciated value of the taxpayer's assessable property plus 25 percent. - Amends TCA Section 67-5-1206 and Section 67-5-903. by *McNally. (HB2398 by *Lundberg)

***Senate Bill No. 2528** -- Civil Procedure - As introduced, adds physician assistants to list of medical professionals who are exempt from subpoena to trial in a civil action but who are subject to subpoena to a deposition. - Amends TCA Section 24-9-101. by *Barnes, *Faulk, *Ford. (HB2813 by *Sontany)

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***Senate Bill No. 2648** -- Education - As introduced, allows county boards of education to use the county's centralized purchasing system to provide a life insurance plan for employees. - Amends TCA Title 5; Title 8 and Title 49. by *Yager, *Massey. (HB2873 by *Ragan)

Senate Bill No. 2674 -- Insurance, Health, Accident - As introduced, revises obsolete language related to independent practitioner of social work for purposes of reimbursement under medical, hospital and medical service plans and insurance by replacing it with current licensure terminology of a person duly licensed to engage in independent practice as a licensed clinical social worker. - Amends TCA Section 56-7-2401 and Section 56-7-2402. by *Faulk, *Crowe, *Harper, *Henry. (*HB2728 by *Pitts)

Senate Bill No. 2776 -- Controlled Substances - As introduced, permits county medical examiners to access the controlled substance database, absolves civil and criminal liability for authorized users acting in good faith within the proscribed limits, and establishes a presumption of good faith action where a medical examiner accesses the information for the purpose of conducting an investigation into a death or making a report as required by the duties of the position. - Amends TCA Title 38, Chapter 7; Title 39 and Title 53, Chapter 10. by *McNally, *Burks, *Crowe. (*HB2825 by *Hensley)

***Senate Bill No. 2784** -- General Assembly - As introduced, corrects references remaining in TCA to oversight committees that were abolished by Chapter 410 of the Public Acts of 2011. - Amends TCA. by *Watson. (HB3699 by *Matheny)

***Senate Bill No. 2841** -- Highway Signs - As introduced, designates segment of S.R. 18 as "National Bird Dog Highway.". by *Gresham, *Crowe, *Herron. (HB3362 by *Rich)

Senate Bill No. 2843 -- Alcoholic Beverage Commission - As introduced, allows commission to issue wholesale license to corporation that has acquired assets of a partnership or limited liability company operating in this state for 10 years if corporation has majority of its assets in Tennessee and officers actively present at licensed premises. - Amends TCA Section 57-3-203(g). by *Yager. (*HB3011 by *Todd)

***Senate Bill No. 2854** -- Environmental Preservation - As introduced, changes dates of harvest season for wild ginseng from August 15 through December 31 to September 1 through December 31 of each year; adjusts reporting requirement for ginseng dealers to reflect new start date of harvest season. - Amends TCA Title 62, Chapter 28, Part 1 and Title 70, Chapter 8, Part 2. by *Yager. (HB3156 by *Keisling)

***Senate Bill No. 3165** -- Municipal Government - As introduced, extends date from July 1, 2012, to July 1, 2014, on expansion of urban growth boundaries for certain tracts of land 10 acres or smaller. - Amends TCA Section 6-58-104. by *Faulk. (HB3595 by *Lundberg)

Senate Bill No. 3234 -- Education - As introduced, extends deadline for raising matching funds for Tennessee Intercollegiate State Legislature Foundation from June 30, 2012, to December 31, 2012, by delaying reversion of existing appropriation to general fund until December 31, 2012. - Amends TCA Title 49, Chapter 3. by *Overbey, *Herron. (*HB3402 by *Lollar)

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Senate Bill No. 3379 -- Sunset Laws - As introduced, extends the board of medical examiners, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 6, Part 1. by *Bell. (*HB3546 by *Cobb, *Rich)

Senate Bill No. 3380 -- Sunset Laws - As introduced, extends the board of respiratory care, June 30, 2016. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 27, Part 1. by *Bell. (*HB3547 by *Cobb, *Rich)

Senate Bill No. 3381 -- Psychologists - As introduced, authorizes instead of requires that governor select psychologist members of board of examiners in psychology from lists of nominees submitted by Tennessee Psychological Association, and select psychological examiner and senior psychological examiner board members from lists provided by Tennessee Association of Psychological Examiners and other interested psychology groups. - Amends TCA Title 4, Chapter 29 and Section 63-11-102. by *Bell. (*HB3553 by *Cobb, *Rich)

Senate Bill No. 3391 -- Dentists and Dentistry - As introduced, requires governor to consult with interested dental groups including, but not limited to, the Tennessee Dental Association, the Tennessee Dental Hygienists Association and the Tennessee Dental Assistants' Association prior to making appointments to the board of dentistry. - Amends TCA Title 4, Chapter 29 and Section 63-5-103. by *Bell, *Massey. (*HB3555 by *Cobb, *Rich)

***Senate Bill No. 3549** -- Environment and Conservation, Department of - As introduced, authorizes the air pollution control board to issue TDEC commissioner authority to grant variances for certain open burnings and emissions testing requirements. - Amends TCA Section 68-201-118. by *Crowe. (HB3765 by *Hill)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3852 – Oakdale – House State and Local Government Committee

House Bill No. 3853 – Bradley County -- House State and Local Government Committee

House Bill No. 3855 – Rutherford County -- House State and Local Government Committee

House Bill No. 3856 -- Maury County -- House State and Local Government Committee

CONSENT CALENDAR

***House Bill No. 2561** -- Public Funds and Financing - As introduced, allows use of federally-insured deposits instead of certificate of deposit. - Amends TCA Section 9-1-118 and Section 9-4-504. by *Johnson C, *Sargent, *Fitzhugh, *Harrison, *Pitts.

On motion, House Bill No. 2561 was made to conform with **Senate Bill No. 2409**; the Senate Bill was substituted for the House Bill.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, FEBRUARY 27, 2012 – FIFTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

***House Bill No. 2547** -- Driver Licenses - As introduced, requires visible full face color photograph of a licensee. - Amends TCA Title 55. by *Hill, *Dean, *Weaver, *Hurley, *Keisling, *Shipley, *Floyd, *Miller D, *Sanderson.

House Bill No. 2395 -- Regional Authorities and Special Districts - As introduced, requires submission of certain reports and notices in regard to watershed districts. - Amends TCA Title 69, Chapter 6, Part 1. by *Lollar.

On motion, House Bill No. 2395 was made to conform with **Senate Bill No. 2257**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2833** -- Special License Plates - As introduced, extends until June 30, 2013, for Donate Life new specialty earmarked license plates to obtain the minimum number of orders for issuance of such license plate. - Amends TCA Title 55, Chapter 4. by *Matheny.

***House Bill No. 2455** -- Special License Plates - As introduced, creates a "Tennessee Tennis" new specialty earmarked license plate; 50 percent of the proceeds from the sale of the plates earmarked for Tennessee Tennis Association to promote and develop the growth of tennis in Tennessee. - Amends TCA Title 55, Chapter 4. by *Sargent.

On motion, House Bill No. 2455 was made to conform with **Senate Bill No. 2479**; the Senate Bill was substituted for the House Bill.

House Bill No. 2490 -- State Symbols - As introduced, establishes the eastern red cedar as the official state evergreen tree. - Amends TCA Title 4, Chapter 1. by *Dunn.

On motion, House Bill No. 2490 was made to conform with **Senate Bill No. 2362**; the Senate Bill was substituted for the House Bill.

House Resolution No. 189 -- Memorials, Personal Achievement - Bradley Alan Northern, Eagle Scout. by *Elam.

House Resolution No. 196 -- Memorials, Academic Achievement - Mary Emma Birdsong, Salutatorian, Giles County High School. by *Bass.

House Resolution No. 197 -- Memorials, Academic Achievement - Allison Johnson, Valedictorian, Giles County High School. by *Bass.

House Joint Resolution No. 685 -- Memorials, Sports - Darrell Waltrip, NASCAR Hall of Fame. by *Sargent, *Casada.

House Joint Resolution No. 687 -- Memorials, Recognition - Steve Wilensky, Germantown Lions Club 2011 Citizen of the Year. by *McManus.

House Joint Resolution No. 688 -- Memorials, Sports - Hardin County High School Lady Tigers bowling team, 2012 State Champions. by *Dennis.

House Joint Resolution No. 689 -- Memorials, Recognition - Cumberland County Fair, 2011 Champion of Champions. by *Sexton.

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House Joint Resolution No. 691 -- Memorials, Death - Howard Richardson. by *DeBerry L.

House Joint Resolution No. 692 -- Memorials, Recognition - Perry County's Tennessee State Championship Catfish Cook-off. by *Tidwell.

House Joint Resolution No. 693 -- Memorials, Recognition - Ezra Fulkerson, Boys & Girls Club of Greater Kingsport 2012 Youth of the Year. by *Harrison.

House Joint Resolution No. 694 -- Memorials, Recognition - Frank Byrd. by *Harrison.

House Joint Resolution No. 695 -- Memorials, Recognition - John Rich. by *Shepard.

House Joint Resolution No. 696 -- Memorials, Professional Achievement - Scottie King, Law Enforcement Officer of the Year. by *McDonald, *Maggart.

House Joint Resolution No. 697 -- Memorials, Recognition - Betty Hawkins, Governor's Volunteer Stars Award. by *McDonald, *Maggart.

House Joint Resolution No. 699 -- Memorials, Recognition - Lewisburg Lions Club, 75th Diamond Anniversary. by *Bass.

House Joint Resolution No. 701 -- Memorials, Academic Achievement - Amanda Thompson, Top Ten, Lewis County High School. by *Hensley.

House Joint Resolution No. 702 -- Memorials, Academic Achievement - Shelby Skelton, Top Ten, Lewis County High School. by *Hensley.

House Joint Resolution No. 703 -- Memorials, Academic Achievement - Danyne Rhinehart, Top Ten, Lewis County High School. by *Hensley.

House Joint Resolution No. 704 -- Memorials, Academic Achievement - Beverly Smith, Top Ten, Lewis County High School. by *Hensley.

House Joint Resolution No. 705 -- Memorials, Academic Achievement - Miranda Skelton, Top Ten, Lewis County High School. by *Hensley.

House Joint Resolution No. 706 -- Memorials, Academic Achievement - Casey Janelle McBreairty, Top Ten, Lewis County High School. by *Hensley.

House Joint Resolution No. 707 -- Memorials, Academic Achievement - Elizabeth Vaughan, Salutatorian, Lewis County High School. by *Hensley.

House Joint Resolution No. 708 -- Memorials, Academic Achievement - Allison Henderson, Top Ten, Lewis County High School. by *Hensley.

House Joint Resolution No. 709 -- Memorials, Academic Achievement - Sharon Criss, Top Ten, Lewis County High School. by *Hensley.

House Joint Resolution No. 710 -- Memorials, Academic Achievement - Haylee Rae Trull, Valedictorian, Lewis County High School. by *Hensley.

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House Joint Resolution No. 711 -- Memorials, Recognition - Fort Campbell Warrior Transition Battalion. by *Johnson C.

Senate Joint Resolution No. 585 -- Memorials, Recognition - Houston County Irish Celebration, 50th Anniversary. by *Barnes, *Kyle.

Senate Joint Resolution No. 587 -- Memorials, Death - Charles Evers. by *Henry.

Senate Joint Resolution No. 588 -- Memorials, Recognition - Edward Carmon Kerley. by *Ketron, *Tracy.

Senate Joint Resolution No. 589 -- Memorials, Recognition - 2011-2012 State FFA Officers. by *Burks, *Barnes, *Beavers, *Bell, *Berke, *Campfield, *Crowe, *Faulk, *Finney L, *Ford, *Gresham, *Harper, *Haynes, *Henry, *Herron, *Johnson, *Kelsey, *Ketron, *Kyle, *Marrero, *Massey, *McNally, *Norris, *Overbey, *Roberts, *Southerland, *Stewart, *Summerville, *Tracy, *Watson, *Yager, *Ramsey.

Senate Joint Resolution No. 592 -- Memorials, Death - Kenneth Field Gardner. by *Summerville, *Gresham.

Senate Joint Resolution No. 593 -- Memorials, Retirement - Ronnie L. White. by *Crowe.

Senate Joint Resolution No. 594 -- Memorials, Personal Occasion - James Edward "Ed" Westcott, 90th birthday. by *McNally, *Yager.

Senate Joint Resolution No. 595 -- Memorials, Retirement - Captain John Huffine. by *Southerland.

Senate Joint Resolution No. 596 -- Memorials, Sports - Greeneville High School girls' cross country team, TSSAA Class A/AA State Championship runners-up. by *Southerland, *Crowe.

Senate Joint Resolution No. 597 -- Memorials, Retirement - Captain Terry L. Webb. by *Southerland.

Senate Joint Resolution No. 598 -- Memorials, Sports - Greeneville High School boys' cross country team, TSSAA Class A/AA State champions. by *Southerland, *Crowe.

Senate Joint Resolution No. 600 -- Memorials, Personal Occasion - James Willis Ailshie, 100th birthday. by *Southerland, *Crowe.

Rep. McManus moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 687, which motion prevailed.

Rep. C. Johnson moved that all members voting aye on House Joint Resolution No. 711 be added as co-prime sponsors, with the Montgomery County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Naifeh moved that all members voting aye on Senate Joint Resolution No. 589 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Kernell moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 691, which motion prevailed.

Rep. Sargent moved that all members voting aye on House Joint Resolution No. 685 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

OBJECTION—CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Joint Resolution No. 695: by Rep. Shepard

Under the rules, House Joint Resolution(s) No(s). 695 was placed at the heel of the calendar for March 1, 2012.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	92
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, Dennis, Dunn, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives present and not voting were: DeBerry J, Elam -- 2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “present and not voting” to “aye” on the Consent Calendar and have this statement entered in the Journal: Rep(s). J. DeBerry.

REGULAR CALENDAR

***House Bill No. 2355** -- Surplus Property - As introduced, revises duties of the chief procurement officer relating to disposal of certain property; keeps administration of state surplus personal property within general services instead of with chief procurement officer; permits payment of state surplus personal property by credit card. - Amends TCA Section 4-56-105 and Title 12, Chapter 2, Part 4. by *McCormick, *Eldridge. (SB2217 by *Norris, *Ketron)

Further consideration of House Bill No. 2355 previously considered on February 13, 2012, at which time it was reset for today's Calendar.

Rep. Eldridge moved that House Bill No. 2355 be passed on third and final consideration.

Rep. Eldridge moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2355 By adding the following as a new, appropriately designated section immediately preceding the effective date section and renumbering the effective date section accordingly:

Section __. Tennessee Code Annotated, Section 12-2-409, is amended effective April 1, 2012, by designating the existing language as subsection (a) and adding the following as a new subsection:

(b)

(1) Disposal of surplus personal property in the possession of the general assembly is exempt from this part; provided, that such disposals are made in a commercially reasonable manner pursuant to the policies and guidelines developed by the joint legislative services committee, created by § 3-10-101, and approved by both speakers.

(2) A member of the general assembly may purchase office furniture, equipment, or other personal property for use in the home district legislative office of such member if such furniture, equipment or property has been declared surplus and classified for disposal pursuant to the policies and guidelines developed and approved pursuant to subdivision (b)(1).

(3)

(A) Except as permitted by subdivision (b)(2), it is hereby declared unlawful for any state official or employee to purchase from the general assembly except by bid at public auction or by Internet auction, using a personal computer on personal time, any surplus property during the tenure of such person's office or employment, or for six (6) months thereafter.

(B) A purchaser who violates this subdivision commits a Class A misdemeanor.

On motion, Amendment No. 1 was adopted.

Rep. Eldridge moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2355 By adding the language "effective April 1, 2012," in Sections 1, 2, 3, 4, 5 and 6 immediately preceding the language "is amended" in each of these sections.

On motion, Amendment No. 2 was adopted.

Rep. Eldridge moved that **House Bill No. 2355**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

***House Bill No. 2343** -- Correction, Dept. of - As introduced, revises provisions governing the exercise of police powers by department employees and governing the authority of certain department employees to carry firearms. - Amends TCA Section 4-3-609 and Section 39-17-1350. by *McCormick, *Watson, *Faison, *Fitzhugh. (SB2205 by *Norris, *Yager, *Faulk)

On motion, House Bill No. 2343 was made to conform with **Senate Bill No. 2205**; the Senate Bill was substituted for the House Bill.

Rep. Watson moved that Senate Bill No. 2205 be passed on third and final consideration.

Rep. Ramsey moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2343 By inserting the following language between the first and second sentences of subdivision (b)(1) of the amendatory language of SECTION 1:

The department's internal standards shall include, at a minimum, forty (40) hours initial training and eight (8) hours annual in-service training in firearms qualification administered by an instructor with certification from the Tennessee correction academy's firearms instructor program or from a police firearms instructor training program conducted or sanctioned by the federal bureau of investigation or the National Rifle Association.

FURTHER AMEND by deleting in its entirety subsection (d) of the amendatory language of SECTION 2 and by substituting instead the following language:

(d)

(1) For purposes of this section, "law enforcement officer" means a person who is a full-time employee of the state in a position authorized by the laws of this state to carry a firearm and to make arrests for violations of some or all of the laws of this state, or a full-time police officer who has been certified by the peace officer standards and training commission, or a commissioned reserve deputy sheriff as authorized in writing by the sheriff, or a commissioned reserve or auxiliary police officer as authorized in writing by the chief of police.

(2) For purposes of this section, "law enforcement officer" also means a vested inmate relations coordinator employed by the department of correction, or a vested correctional officer employed by the department of correction, a person employed by the department of correction as a warden, deputy warden, associate warden, correctional administrator, assistant or deputy commissioner, or commissioner who has successfully completed firearms training in accordance with department of correction standards, which standards shall include, at a minimum, forty (40) hours initial training and eight (8) hours annual in-service training in firearms qualification administered by an instructor with certification from the Tennessee correction academy's firearms instructor program or from a police firearms instructor training program conducted or sanctioned by the federal bureau of investigation or the National Rifle Association,

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Watson moved that **Senate Bill No. 2205**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Bill No. 2453** -- Gambling - As introduced, exempts nonprofit corporations from paying gambling machine manufacturing fees if the nonprofit is licensed by the Tennessee department of mental health and certified by the Tennessee department of human services to provide vocational rehabilitation job training programs. - Amends TCA Title 39. by *Sargent. (SB2487 by *Johnson)

Rep. Sargent moved that House Bill No. 2453 be passed on third and final consideration.

Rep. L. Miller moved the previous question, which motion prevailed.

Rep. Sargent moved that **House Bill No. 2453** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 82
Noes..... 2
Present and not voting..... 9

Representatives voting aye were: Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, DeBerry J, Dennis, Elam, Eldridge, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Naifeh, Niceley, Odom, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Wirgau, Madam Speaker Harwell -- 82

Representatives voting no were: Hensley, Moore -- 2

Representatives present and not voting were: Alexander, Bass, Dean, Dunn, Evans, Powers, Swann, Windle, Womick -- 9

A motion to reconsider was tabled.

House Bill No. 2396 -- Public Funds and Financing - As introduced, makes the authorization for the state funding board to sell bonds at private sale permanent; currently, authorization is scheduled to expire June 30, 2012. - Amends TCA Section 9-9-205. by *Sargent. (*SB2258 by *McNally)

On motion, House Bill No. 2396 was made to conform with **Senate Bill No. 2258**; the Senate Bill was substituted for the House Bill.

Rep. Sargent moved that Senate Bill No. 2258 be passed on third and final consideration.

Rep. Harrison moved that Finance, Ways and Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that **Senate Bill No. 2258** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Bill No. 2383** -- Appropriations - As introduced, makes appropriations for the purpose of funding certain rate and co-payment adjustments in the TennCare program. by *McCormick, *Sargent. (SB2245 by *Norris, *McNally)

Rep. Sargent moved that House Bill No. 2383 be passed on third and final consideration.

Rep. Harrison moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2383 by deleting all language after the enacting clause and substituting the following:

SECTION 1. In addition to any funds heretofore appropriated, there is appropriated the amount of \$7,251,800 to the Department of Finance and Administration, Bureau of TennCare.

Said funds herein appropriated shall be expended for the purpose of restoring 1.75% of the 4.25% rate reductions and eliminating the \$2 co-payment which took effect on January 1, 2012. The specific amounts appropriated and rate reductions restored are:

1. Nursing Homes 4.25% - Restore 1.75%	\$3,236,300
2. Managed Care Orgs. Administrative Rates 4.25% - Restore 1.75%	985,500
3. Transportation Providers 4.25% - Restore 1.75%	230,900
4. Lab and X-ray Services 4.25% - Restore 1.75%	690,200
5. Dental Services 4.25% - Restore 1.75%	432,400
6. ICF-MR Providers 4.25% - Restore 1.75%	295,500
7. PACE (Program of All-Inclusive Care of the Elderly) 4.25% - Restore 1.75% . .	33,300
8. Home Health Providers 4.25% (Excludes HCBS) - Restore 1.75%	701,200
9. Eliminate \$2 Co-Payments for Non-Emergency Transportation Services.. .	<u>646,500</u>
TOTAL	<u>\$7,251,800</u>

SECTION 2. In addition to any federal aid funds or departmental revenue heretofore appropriated, there is appropriated the amount of \$14,224,100 to the Department of Finance and Administration, Bureau of TennCare.

Said funds herein appropriated shall be expended for the purpose of restoring 1.75% of the 4.25% rate reductions and eliminating the \$2 co-payment which took effect on January 1, 2012. The specific amounts appropriated and rate reductions restored are:

1. Nursing Homes 4.25% - Restore 1.75%	\$6,347,900
2. Managed Care Orgs. Administrative Rates 4.25% - Restore 1.75%	1,933,000
3. Transportation Providers 4.25% - Restore 1.75%	452,900
4. Lab and X-ray Services 4.25% - Restore 1.75%	1,353,800
5. Dental Services 4.25% - Restore 1.75%	848,100
6. ICF-MR Providers 4.25% - Restore 1.75%	579,600
7. PACE (Program of All-Inclusive Care of the Elderly) 4.25% - Restore 1.75% . .	65,300

8. Home Health Providers 4.25% (Excludes HCBS) - Restore 1.75%. 1,375,400

9. Eliminate \$2 Co-Payments for Non-Emergency Transportation Services. . 1,268,100

TOTAL \$14,224,100

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Pitts moved the previous question, which motion prevailed.

Rep. Sargent moved that **House Bill No. 2383**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 2843 -- Travel Regulations - As introduced, authorizes the issuance of overdimensional permits by TDOT to certain qualified vehicles to travel on the interstate at night. - Amends TCA Section 55-7-205. by *Johnson P, *Hurley, *Cobb. (*SB2650 by *Yager, *McNally)

On motion, House Bill No. 2843 was made to conform with **Senate Bill No. 2650**; the Senate Bill was substituted for the House Bill.

Rep. P. Johnson moved that Senate Bill No. 2650 be passed on third and final consideration.

Rep. Dean moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. P. Johnson moved that **Senate Bill No. 2650** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 2
Present and not voting..... 1

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Rich, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

Representatives voting no were: Brown, Hardaway -- 2

Representatives present and not voting were: Bass -- 1

A motion to reconsider was tabled.

House Bill No. 373 -- Public Health - As introduced, requires addition of a screen for critical cyanotic congenital heart disease to the screen panel for newborns. - Amends TCA Title 68. by *Haynes, *Gilmore. (*SB65 by *Overbey, *Burks, *Marrero, *Barnes, *Harper, *Ford)

On motion, House Bill No. 373 was made to conform with **Senate Bill No. 65**; the Senate Bill was substituted for the House Bill.

Rep. Haynes moved that Senate Bill No. 65 be passed on third and final consideration.

Rep. McManus moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 373 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 5, Part 5, is amended by adding the following as a new section:

68-5-507.

On or before, January 1, 2013, the genetic advisory committee is directed to develop a screening program for critical cyanotic congenital heart disease for the panel of screens authorized for newborns under § 68-5-504 that makes use of pulse oximetry.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Commerce Committee Amendment No. 1 was adopted.

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Rep. Haynes moved that **Senate Bill No. 65**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 2

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Powers, Pruitt, Ragan, Ramsey, Rich, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives voting no were: Hurley, Pody -- 2

A motion to reconsider was tabled.

***House Bill No. 2481** -- Courts - As introduced, authorizes the county legislative body of any county having a charter form of government to establish and set fees for court clerks in such manner and amounts as deemed appropriate by the county legislative body. - Amends TCA Section 8-21-401. by *Haynes, *Hall, *Niceley, *Dunn, *Brooks H, *Armstrong, *Tindell. (SB2456 by *Massey)

Rep. Haynes moved that House Bill No. 2481 be passed on third and final consideration.

Rep. Ramsey moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2481 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-21-401(n), is amended by designating the existing language as subdivision (1), by deleting the words "The fees" at the beginning of the subsection and by substituting instead the language "Except as provided in subdivision (2), the fees", and by adding the following language as a new subdivision (2):

(2) The fees provided for in this section shall apply to the criminal court, fourth circuit and the general sessions court-criminal division in any county with a charter form of government that has a population of not less than three hundred and fifty thousand (350,000) nor more than four hundred and fifty thousand (450,000), according to the 2000 federal census or any subsequent federal census.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Haynes moved that **House Bill No. 2481**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 93

Representatives present and not voting were: Windle -- 1

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Gilmore

Representative Pruitt

REGULAR CALENDAR, CONTINUED

***House Bill No. 2351** -- Taxes, Franchise - As introduced, revises various provisions regarding the job tax credit given for new full-time employee jobs filled by a person with disabilities who is receiving state services directly related to such disabilities. - Amends TCA Section 67-4-2109(f). by *McCormick, *Haynes. (SB2213 by *Norris, *Massey, *Overbey)

On motion, House Bill No. 2351 was made to conform with **Senate Bill No. 2213**; the Senate Bill was substituted for the House Bill.

Rep. Haynes moved that **Senate Bill No. 2213** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

House Bill No. 2734 -- Motor Vehicles - As introduced, requires recreational vehicles leased to consumers to have working carbon monoxide detectors; requires all lease agreements for RVs to state that the vehicle is equipped with a working detector; allows court costs and attorney's fees in civil suits for damages from failure to comply with this requirement. - Amends TCA Title 55, Chapter 9. by *Pitts, *Johnson C. (*SB2357 by *Barnes)

Rep. Pitts requested that House Bill No. 2734 be moved down 5 places on the Calendar.

House Bill No. 2398 -- Taxes - As introduced, clarifies that a taxpayer may request the assessor to mitigate a forced assessment by reducing the forced assessment to the standard depreciated value of the taxpayer's assessable property plus 25 percent. - Amends TCA Section 67-5-1206 and Section 67-5-903. by *Lundberg. (*SB2260 by *McNally)

On motion, House Bill No. 2398 was made to conform with **Senate Bill No. 2260**; the Senate Bill was substituted for the House Bill.

Rep. Lundberg moved that **Senate Bill No. 2260** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J,

Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

***House Bill No. 1000** -- Veterans' Affairs, Dept. of - As introduced, creates state veterans' burial assistance fund to be administered by commissioner of veterans' affairs; funds shall consist of any funds from U.S. veterans' affairs for plot allowance for burials of state veterans and dependents and any state appropriation or private donation. - Amends TCA Section 8-30-306; Section 49-7-102; Title 58, Chapter 7; Title 58, Chapter 3 and Section 67-5-704. by *Todd, *Camper, *Ragan. (SB1223 by *Yager, *Overbey, *Ford, *Crowe)

Rep. Todd moved that House Bill No. 1000 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1000 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 58-3-113, is amended by deleting the language "Tennessee Distinguished Service Medal" wherever such language appears in the section and by substituting instead the language "Tennessee Fallen Heroes Medal".

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Todd moved that **House Bill No. 1000**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2913** -- Landlord and Tenant - As introduced, permits landlord to terminate rental agreement if tenant creates a hazardous or unsanitary, instead of hazardous and unsanitary, condition on the property; deletes requirement that landlord notify tenant at time of lease signing of location of separate account for security deposits. - Amends TCA Title 66, Chapter 28. by *Curtiss. (SB2791 by *Campfield)

Rep. Curtiss moved that **House Bill No. 2913** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 1

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

Representatives voting no were: Hardaway -- 1

A motion to reconsider was tabled.

***House Bill No. 2656** -- Sexual Offenses - As introduced, makes technical changes to clarify the offenses of soliciting sexual exploitation of a minor and exploitation of minor by electronic means to make language consistent and to copy from another section definitions for certain undefined terms. - Amends TCA Section 39-13-529. by *Dennis. (SB2675 by *Faulk)

Rep. Dennis moved that **House Bill No. 2656** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J,

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Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

House Bill No. 2734 -- Motor Vehicles - As introduced, requires recreational vehicles leased to consumers to have working carbon monoxide detectors; requires all lease agreements for RVs to state that the vehicle is equipped with a working detector; allows court costs and attorney's fees in civil suits for damages from failure to comply with this requirement. - Amends TCA Title 55, Chapter 9. by *Pitts. (*SB2357 by *Barnes)

Further consideration of House Bill No. 2734 previously considered on today's Calendar.

On motion, House Bill No. 2734 was moved to the heel of the Calendar.

House Bill No. 2936 -- Firearms and Ammunition - As introduced, clarifies that it is lawful to purchase from and cause to be shipped to a personal residence in this state a black powder weapon, knife with a blade in excess of four inches or a sword or bayonet. - Amends TCA Title 39, Chapter 17, Part 13. by *Dennis, *McDaniel, *Harrison, *Rich. (*SB2695 by *Bell)

Rep. Dennis moved that **House Bill No. 2936** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes.....	2
Present and not voting.....	1

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

Representatives voting no were: Naifeh, Turner M -- 2

Representatives present and not voting were: Brown -- 1

A motion to reconsider was tabled.

***House Bill No. 2236** -- Highway Signs - As introduced, names I-65 underpass in Williamson County in honor of late Lance Corporal Benjamin H. Gearheart. by *Casada. (SB2485 by *Johnson)

Rep. Casada moved that House Bill No. 2236 be passed on third and final consideration.

4185

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Rep. Casada moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2236 by deleting from the final WHEREAS clause in the preamble of the introduced bill the language "a certain bridge on Interstate 65" and by substituting instead the language " a certain overpass on Interstate 65".

AND FURTHER AMEND by deleting from Section 1 of the introduced bill the language "the underpass on Interstate 65 at Exit 61" and by substituting instead the language "the overpass on Interstate 65 at Exit 61".

AND FURTHER AMEND by deleting from Section 2 of the introduced bill the language "the underpass described in Section 1" and by substituting instead the language "the overpass described in Section 1".

On motion, Amendment No. 1 was adopted.

Rep. Casada moved that **House Bill No. 2236**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

***House Bill No. 2878** -- Highway Signs - As introduced, names bridge on S.R. 96 in Williamson County in honor of the late Master Sergeant James W. "Tre" Ponder III, U.S. Army. by *Casada, *Sargent. (SB2733 by *Johnson)

Rep. Casada moved that **House Bill No. 2878** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway,

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Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

***House Bill No. 2793** -- Highway Signs - As introduced, names bridge on S.R. 246 in Williamson County in honor of the late Spc. Danny Gale Martin. by *Casada. (SB2732 by *Johnson)

Rep. Casada moved that **House Bill No. 2793** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

***House Bill No. 2886** -- Highway Signs - As introduced, prohibits outdoor advertising on State 840 in Williamson County between State Route 246 and State Route 100; clarifies that former Interstate 181 in Washington and Sullivan counties is now called Interstate 26. - Amends TCA Section 54-21-118. by *Casada, *Johnson P, *Sargent. (SB2736 by *Johnson)

Rep. Casada moved that House Bill No. 2886 be passed on third and final consideration.

Rep. P. Johnson moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2886 By deleting in the first sentence of the amendatory language of Section 1 the language "between State Route 246 and State Route 100" and by substituting instead the language "from State Route 246 to one (1) mile from the intersection with State Route 100".

4187

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On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Casada moved that **House Bill No. 2886**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes.....	5
Present and not voting.....	4

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Favors, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 83

Representatives voting no were: Evans, Faison, McCormick, Sexton, Turner M -- 5

Representatives present and not voting were: Butt, Hurley, Powers, Womick -- 4

A motion to reconsider was tabled.

House Bill No. 2428 -- Law Enforcement - As introduced, authorizes local legislative bodies to levy a maximum \$25.00 tax on all new civil and criminal cases; earmarks revenue for obtaining and maintaining software and hardware for law enforcement agencies. - Amends TCA Title 67, Chapter 4, Part 6. by *Matheny, *Harmon. (*SB2189 by *Overbey, *Stewart)

Rep. Matheny moved that House Bill No. 2428 be passed on third and final consideration.

Rep. Ramsey moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2428 by deleting the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-4-601, is amended by designating the language of the current subdivision (b)(7) as subdivision (b)(7)(A), and by adding the following as a new subdivision (b)(7)(B):

(B)

(i) Notwithstanding the exclusive use restriction in subdivision (b)(6), a county that adopts the privilege tax in subdivision (b)(5) or (b)(6), or both, may also adopt a resolution by a two-thirds (2/3) majority vote of

the legislative body, to use those funds, in addition to other purposes as permitted under this section, for the purpose of obtaining and maintaining software and hardware associated with collecting, receiving and maintaining records for law enforcement agencies including county sheriff offices, jails and municipal or metropolitan police departments. This project may include computerizing agency operations, replacing existing systems with high technology systems that collect and share data on criminal activity and historical data with other law enforcement agencies, including fusion centers, and collecting and sharing biometric information for positive criminal or inmate identification. New or replacement systems shall incorporate modern software concepts and architecture, which shall include n-tier architecture, source code compliant with object-oriented programming concepts, and the use of a relational database management system for data storage.

(ii) Any use of a privilege tax for purposes under this subdivision (B) shall only be permitted until such time as all expenses for the purchase, installation, training, maintenance and associated costs for the project as described under subdivision (b)(7)(B)(i) have been paid, or until such time as the debt for that project has been retired.

(iii) For purposes of this subdivision (B), "debt" includes principal, interest, origination costs and related expenses, as well as any debt issued for the purposes of refinancing the original indebtedness.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Matheny moved that **House Bill No. 2428**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes.....	3
Present and not voting.....	3

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 87

Representatives voting no were: Brown, Favors, Hensley -- 3

Representatives present and not voting were: Powers, Sparks, Windle -- 3

A motion to reconsider was tabled.

***House Bill No. 2429** -- Naming and Designating - As introduced, designates May 2012 as "Motorcycle Safety and Awareness Month." by *Matheny. (SB3123 by *Stewart, *Ketron)

BILL HELD ON DESK

Rep. Matheny moved that House Bill No. 2429 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2477** -- Highway Signs - As introduced, names bridge in Dickson County in honor of the late Lt. Col. Malcolm Glenn Hicks, USAF. by *Shepard. (SB2385 by *Summerville)

Further consideration of House Bill No. 2477 previously considered on February 23, 2012, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

On motion, House Bill No. 2477 was made to conform with **Senate Bill No. 2385**; the Senate Bill was substituted for the House Bill.

Rep. Shepard moved that Senate Bill No. 2385 be passed on third and final consideration.

Rep. Shepard moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2477 By deleting the 16th WHEREAS clause in the preamble of the introduced bill and by substituting instead the following:

WHEREAS, Malcolm Glenn Hicks was the proud grandfather of seven grandchildren, Daniel G. Hicks, Jr., Phillip A. Hicks, Dale McIntosh, Corinne McIntosh, Jared McIntosh, Drew Hicks, and Justin Hicks; and

On motion, Amendment No. 1 was adopted.

Rep. Shepard moved that **Senate Bill No. 2385**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam,
4190

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Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

***House Bill No. 2356** -- Public Contracts - As introduced, revises requirements for amounts of goods or services that may be procured without requisitioning through the department of general services or for contracts that may be entered into without approval of certain government officials; permits competitive negotiations on certain contracts upon approval by the chief procurement officer. - Amends TCA Title 12, Chapter 3 and Title 12, Chapter 4. by *McCormick, *Johnson C, *Hardaway, *Parkinson, *Curtiss. (SB2218 by *Norris, *Ketron)

Further consideration of House Bill No. 2356 previously considered on February 9, 2012 and February 23, 2012, at which time it was reset for today's Calendar.

Rep. C. Johnson moved that House Bill No. 2356 be passed on third and final consideration.

Rep. C. Johnson moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2356 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 12-3-203(a)(2), is amended, effective April 1, 2012, by deleting the language "board of standards" and by substituting the language "chief procurement officer and notice of such procurements posted on the state procurement office's internet site".

SECTION 2. Tennessee Code Annotated, Section 12-3-203(g)(2), is amended, effective April 1, 2012, by deleting the language "months." and by substituting instead the language "months, unless approved by the chief procurement officer as being in the best interest of the state and notice of such approvals for term contracts posted on the state procurement office's internet site.".

SECTION 3. Tennessee Code Annotated, Section 12-3-208, is amended, effective April 1, 2012, by deleting the last sentence which reads: "Each use of competitive negotiation shall be in accordance with rules of the department approved by the board of standards." and by substituting the language "Each use of competitive negotiation shall be subject to approval by the chief procurement officer in accordance with rules, policies and procedures of the

procurement commission. Notice of such approved competitive negotiations shall be posted on the state procurement office's internet site."

SECTION 4. Tennessee Code Annotated, Section 12-3-210(a), is amended, effective April 1, 2012, by deleting the language "twenty-five thousand dollars (\$25,000)" and by substituting the language "fifty thousand dollars (\$50,000) must be approved by the chief procurement officer" and by adding the following new language at the end of the subsection:

All procurements provided for in this section shall be posted on the state procurement office's internet site at a minimum providing the following information, as applicable, regarding each such procurement:

- (1) Procuring agency;
- (2) Purchase order number;
- (3) vendor;
- (4) Total amount of purchase order;
- (5) Line item description;
- (6) Line item amount;
- (7) Purchase order total amount; and
- (8) Status of order.

SECTION 5. Tennessee Code Annotated, Section 12-4-110(a)(5), is amended, effective April 1, 2012, by deleting all language after the word "exceeding" in the second sentence and substituting the language "fifty thousand dollars (\$50,000) must be approved by the chief procurement officer."

Tennessee Code Annotated, Section 12-4-110(a)(5), is further amended and by adding the following language at the end of the subdivision:

All contracts for services shall be posted on the state procurement office's internet site at a minimum providing the following information, as applicable, regarding each request for service:

- (1) Business unit or agency requesting;
- (2) Contract number;
- (3) Brief description of contract;
- (4) Type of contract;
- (5) Begin date of contract;

(6) End date of contract;

(7) Maximum liability; and

(8) Status of contract.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. C. Johnson moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Fitzhugh moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 2356 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 12-3-210, is amended, effective April 1, 2012, by adding the following language as a new subsection (c):

(c) Notwithstanding subsection (a), for any procurement of no less than twenty-five thousand dollars (\$25,000), nor more than fifty thousand dollars (\$50,000), made by state departments, institutions and agencies under this section, such departments, institutions and agencies shall actively solicit bids and proposals from minority-owned, woman-owned, Tennessee service-disabled veteran owned and small businesses in accordance with § 12-3-804.

Rep. Fitzhugh moved that House Bill No. 2356 be reset for the Regular Calendar on March 1, 2012, which motion prevailed.

***House Joint Resolution No. 602** -- General Assembly, Statement of Intent or Position - Expresses need to expand postsecondary credit-earning opportunities for high school students and urges state education agencies to provide assistance to any organizations conducting a statewide study of the issue. by *Brooks H, *McCormick, *Eldridge, *Forgety, *Brooks K, *Turner M, *Ford, *Hardaway.

Further consideration of House Joint Resolution No. 602 previously considered on February 23, 2012, at which time it was reset for today's Calendar.

Rep. H. Brooks moved adoption of House Joint Resolution No. 602.

Rep. H. Brooks moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 602 By adding the following clauses immediately after the third clause in the preamble:

Whereas, credit by assessment such as, Advanced Placement (AP), provides opportunity for college credit and/or placement that can generate significant savings to students and their families; and

Whereas, International Baccalaureate (IB) programs can also earn college credit and/or placement that can generate significant savings to students and their families; and

On motion, Amendment No. 1 was adopted.

Rep. H. Brooks moved adoption of House Joint Resolution No. 602, as amended, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

A motion to reconsider was tabled.

House Joint Resolution No. 660 -- Memorials, Recognition - Bishop Vashti Murphy McKenzie. by *DeBerry L, *Gilmore.

Further consideration of House Joint Resolution No. 660 previously considered on February 16, 2012 and February 23, 2012, at which time it was reset for today's Calendar.

Rep. J. Turner moved that House Joint Resolution No. 660 be reset for the Regular calendar on March 1, 2012, which motion prevailed.

House Bill No. 2734 -- Motor Vehicles - As introduced, requires recreational vehicles leased to consumers to have working carbon monoxide detectors; requires all lease agreements for RVs to state that the vehicle is equipped with a working detector; allows court costs and attorney's fees in civil suits for damages from failure to comply with this requirement. - Amends TCA Title 55, Chapter 9. by *Pitts, *Johnson C. (*SB2357 by *Barnes)

Rep. Pitts moved that House Bill No. 2734 be passed on third and final consideration.

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Rep. Pitts moved to withdraw the motion to pass House Bill No. 2734 on third and final consideration, which motion prevailed.

On motion, House Bill No. 2734 was made to conform with **Senate Bill No. 2357**; the Senate Bill was substituted for the House Bill.

Rep. Pitts moved that Senate Bill No. 2357 be passed on third and final consideration.

Rep. P. Johnson moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Pitts moved that **Senate Bill No. 2357** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Haynes, Hensley, Hill, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

Representatives present and not voting were: Holt -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the **Senate Bill No. 2357** and have this statement entered in the Journal: Rep(s). Hawk.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGES

***House Bill No. 2638** -- Criminal Offenses - As introduced, prevents people from living on publicly-owned property not designated for residential use and prohibits people using publicly-owned property from posing a health hazard or threat to the safety and welfare of others. - Amends TCA Title 4; Title 12; Title 29; Title 39 and Title 40. by *Watson, *Carr, *Womick, *Hill, *Sargent, *Brooks H, *Todd, *Rich, *Eldridge, *Weaver, *Harrison, *Lollar, *Evans, *Shipley, *Coley, *Sanderson, *Alexander, *Ragan, *McManus, *Maggart, *Gotto, *Casada, *Miller D, *Johnson C, *Brooks K, *Lundberg, *White, *Hurley, *Niceley, *Halford, *Johnson P, *Dean, *Powers, *Williams R, *Bass. (SB2508 by *Gresham)

Senate Amendment No. 2

AMEND House Bill No. 2638 By adding the following language preceding the enacting clause:

WHEREAS, the state of Tennessee has a variety of substantial governmental interests with respect to property, and particularly real property, owned by the state. For the reasons stated in this subsection, this section is specifically intended to protect state interests jeopardized by the activity of camping on state property that is not compatible to or designated for such activity; and

WHEREAS, whether the property is a state park, recreation area, wildlife refuge, historic building, educational institution or natural green space, it is in the state's interests to be a good steward of public land and manage and protect it in such a manner as to ensure that future generations of Tennesseans are able to continue to enjoy the natural treasures and rich beauty of this state, and

WHEREAS, it is also an important state interest that publicly-owned land is properly used. The use of public land in a manner or for a purpose for which it is not designed or made available to the public causes the property to deteriorate more rapidly, and results in higher maintenance and security. This not only depreciates the value of the property but makes it unavailable for its intended purposes; and

WHEREAS, as important an interest as the preservation of resources is, perhaps more important are the health concerns that can reasonably be expected to follow from the use of public land by a group of people for an activity never contemplated on that location. Without necessities such as sanitary facilities, the risk of communicable disease transforms an unauthorized use of public land into a potential public health problem; and

WHEREAS, even though state owned property takes many forms, the common thread is that it is acquired, preserved, improved, protected and maintained using the tax dollars of all citizens of this state. Therefore, ensuring that state land and other property remain available and accessible to all citizens of this state is an interest for which action is justified, if not required; and

WHEREAS, at times it becomes necessary to enact measures, such as the proscription against unauthorized camping contained in this section, to prohibit, regulate or restrict otherwise lawful activities in certain places because they are inimical to substantial state interests, such as the ones set forth in this section, now, therefore,

FURTHER AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 14, Part 4, is amended by adding the following as a new section:

39-14-4__.

(a) This section shall be known and may be cited as the “Equal Access to Public Property Act of 2012”.

(b)

(1) As used in this section, “camping” means the erection or use of temporary structures such as tents, tarps, and other temporary shelters for living accommodation activities such as sleeping, or making preparations to sleep.

(2) “Camping” shall include, but not be limited to, the laying down of bedding for the purpose of sleeping, storing personal belongings, making any fire, doing any digging or earth breaking or carrying on cooking activities, whether by fire or use of artificial means such as a propane stove or other heat-producing portable cooking equipment.

(c) An area of state-owned land may be designated as a camping area by the department, agency, official or officials the responsible for the operation, protection or maintenance of the property in question. The area’s designation as a camping area may be accomplished by means of signage, advertisement or other notice designed to make known its availability for the activity of camping.

(d) It is an offense for a person to engage in the activity of camping on property owned by the state knowing that the area on which the camping occurs is not specifically designated for use as a camping area by the department or agency responsible for such land.

(e) Any items associated with camping in violation of this section, including tents, portable toilets, sleeping bags, tarps, stakes, ropes, blankets, propane heaters, cooking equipment and generators, shall be subject to seizure and forfeiture by the appropriate state officials authorized to maintain and protect the

land on which the camping equipment is found or other officials whose duties include enforcement of this section.

(f) A violation of this section is a Class A misdemeanor.

(g) Nothing in this section shall be construed as preempting or preventing a state department or agency with responsibility for state property from enacting or enforcing other lawful and reasonable rules, regulations, or statutes that concern the use of and access to state property. However, if any such rule, regulation or statute is in conflict with this section, it is the intent that this section shall prevail and the prohibition against camping on state property in areas not designated as camping areas be a uniform one.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Senate Amendment No. 3

AMEND House Bill No. 2638 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Rep. Watson moved that the House concur in Senate Amendment(s) No(s). 2 and 3 to House Bill No. 2638.

Rep. K. Williams moved the previous question, which motion prevailed.

Rep. Watson moved that the House concur in Senate Amendment(s) No(s). 2 and 3 to **House Bill No. 2638**, which motion prevailed by the following vote:

Ayes	67
Noes.....	21
Present and not voting.....	2

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, Dennis, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Pody, Powers, Ragan, Ramsey, Rich, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Swann, Tidwell, Tindell, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 67

MONDAY, FEBRUARY 27, 2012 – FIFTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting no were: Brown, Cooper, Favors, Fitzhugh, Hardaway, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Odom, Parkinson, Richardson, Shaw, Sontany, Stewart, Towns, Turner J, Turner M, Windle -- 21

Representatives present and not voting were: Dunn, Hurley -- 2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on **House Bill No. 2428** and have this statement entered in the Journal: Rep(s). J. Turner.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Shaw moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 625 out of order, which motion prevailed.

Senate Joint Resolution No. 625 -- Memorials, Recognition - Youth Town of Tennessee, 50th anniversary. by *Finney L, *Herron.

On motion of Rep. Shaw, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Maggart moved that the rules be suspended for the purpose of introducing House Resolution No. 198 out of order, which motion prevailed.

House Resolution No. 198 -- Memorials, Congratulations - Junior League of Nashville, 90th Anniversary. by *Maggart.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Maggart, with the request that all members voting aye be added as co-prime sponsors, the resolution was adopted.

A motion to reconsider was tabled.

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on March 1, 2012:

House Bill No. 2542: by Rep. Cobb

House Bill No. 629: by Rep. Cobb

BILLS WITHDRAWN

On motion of Rep. Ford, **House Bill No. 2772** was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

On motion of Rep. Hardaway, **House Bill No. 20** was recalled from the Agriculture Committee and withdrawn from the House.

On motion of Rep. Hardaway, **House Bill No. 25** was recalled from the Education Committee and withdrawn from the House.

On motion of Rep. Hardaway, **House Bill No. 29** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Hardaway, **House Bill No. 68** was withdrawn from the House.

On motion of Rep. Hardaway, **House Bill No. 71** was recalled from the Commerce Committee and withdrawn from the House.

On motion of Rep. Hardaway, **House Bill No. 73** was recalled from the Commerce Committee and withdrawn from the House.

On motion of Rep. Hardaway, **House Bill No. 75** was recalled from the Commerce Committee and withdrawn from the House.

BILL HELD ON DESK

Rep. Shepard moved that **House Joint Resolution No. 695** be held on the Clerk's desk, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 915 Rep(s). McDaniel as first prime sponsor(s).

House Bill No. 1853 Rep(s). S. Jones as prime sponsor(s).

House Bill No. 1959 Rep(s). Swann and Ramsey as prime sponsor(s).

House Bill No. 3126 Rep(s). McDaniel as prime sponsor(s).

House Bill No. 3203 Rep(s). S. Jones as prime sponsor(s).

House Bill No. 3204 Rep(s). S. Jones as prime sponsor(s).

House Bill No. 3205 Rep(s). S. Jones as prime sponsor(s).

House Bill No. 3373 Rep(s). Harwell, Lollar, Evans, Maggart, McCormick, Weaver, Faison, Dennis, Todd, R. Williams, White, Casada, Coley, Hurley, Halford and McDaniel as prime sponsor(s).

House Bill No. 3660 Rep(s). McCormick as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). P. Johnson was/were removed as sponsor(s) of **House Bill No. 915**.

REQUEST TO BE ADDED AS SPONSOR

The following member(s) requested to add their name(s) as sponsor(s) as indicated below, the prime sponsor having agreed to such addition. Sponsorship was not granted since the request was made after passage/adoption of said bill/resolution:

House Bill No. 2913: Rep(s). Hurley

MESSAGE FROM THE GOVERNOR February 27, 2012

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 642, 646, 647, 648, 650, 651, 654, 655, 656, 657, 658, 659, 661, 663, 665, 666, 668, 669, 671, 672, 673, 674, 675, 676, 677, 678, 680 and 681; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**SIGNED
February 27, 2012**

The Speaker announced that she had signed the following: House Bill(s) No(s). 2397, 2405, 2545, 2653 and 2665.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS
February 27, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2913;

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS
February 27, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2886;

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS
February 27, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 685, 687, 688, 689, 691, 692, 693, 694, 696, 697, 699, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710 and 711.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
February 27, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 566; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
February 27, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2376; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
February 27, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2756; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
February 27, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2598; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
February 27, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2886; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
February 27, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2365; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
February 27, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2527; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
February 27, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2540; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
February 27, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2534; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
February 27, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 189, 196, 197 and 198; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
February 27, 2012**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 189, 196, 197 and 198.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS
February 27, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 1000, 2236, 2355, 2383, 2428, 2453, 2455, 2481, 2547, 2561, 2656, 2793, 2833, 2878 and 2936; also House Joint Resolution(s) No(s). 602;

BETTY KAY FRANCIS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 89

Representatives present were Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Weaver, White, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 89

RECESS MOTION

On motion of Rep. K. Brooks, the House stood in recess until 9:00 a.m., Thursday, March 2, 2012.